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Security Council

Fifty-ninth year

Provisional

5027th meeting

Thursday, 2 September 2004, 10 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Andereya
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Trautwein
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Danforth

Agenda

Report of the Secretary-General on the Sudan

Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)

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04-47596 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

Report of the Secretary-General on the Sudan

Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

There being no objection, it is so decided.

I invite Mr. Pronk to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004), document S/2004/703. I should like to draw the attention of members to the following documents: S/2004/671 and S/2004/701, containing the texts of letters dated 19 and 31 August 2004, respectively, from the Sudan; and S/2004/674, containing the text of a letter dated 18 August 2004 from the Permanent Observer of the League of Arab States to the United Nations addressed to the Secretary-General.

At this meeting, the Security Council will hear a briefing by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation. I now give him the floor.

Mr. Pronk: As you just indicated, Mr. President, the report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703) has been made available to members of the Security Council. For that reason, I will confine myself to making a brief oral statement rather than presenting a full survey. I would like to highlight 10 important points on the basis of the report.

My first point concerns the process. After the adoption of Security Council resolution 1556 (2004), the Government of Sudan, in a meeting with the United Nations and partners, declared that it would meet the requirements contained in that resolution. We made clear that the resolution should be interpreted not as an attack on Sudan and its leaders but, on the contrary, as a means of protecting Sudanese citizens who are suffering atrocities. We also made clear that we were willing to assist the authorities in Sudan in meeting the requirements of the resolution.

Within the framework of the Joint Implementation Mechanism, the United Nations and partners — including the ambassadors of many countries represented in Khartoum — have been engaged in intensive discussions with the Government of Sudan and in a number of assessment missions. In all those discussions, the United Nations and partners aimed at achieving consensus among themselves, so as to avoid misinterpretation and in order to maintain political pressure.

Through that mechanism we were able to maintain pressure on the Government and to offer it help in meeting the initial requirement: to show substantial, irreversible and verifiable progress within 30 days and, in the months thereafter, progress towards full security in Darfur. This has resulted in an approach in stages: first, the formulation of detailed policies by the Government in order to meet that objective; secondly, ensuring that those policies will indeed be carried out by all authorities, including those in Darfur itself; and thirdly, guaranteeing the actual impact on the ground: substantially improved security for the population, and for displaced persons in particular.

My second point is that the Government of the Sudan has made progress towards meeting the requirements of the resolution. They have been able to improve security in some specific areas of concentration of internally displaced persons (IDPs); to cease all offensive military operations in those areas, including any offensive actions against rebel groups, to exercise restraint and avoid retaliation, and to redeploy the armed forces in such a way that they are not in direct contact with IDPs or other civilians — here, in mid-August the African Union Ceasefire Commission informed me that there was no evidence of attacks

having been carried out by Government aeroplanes since the signature of the joint communiqué; to deploy additional police; to begin disarming a sizeable part of the Popular Defence Forces; to lift all access restrictions for humanitarian relief; to announce a policy of voluntary returns only; to refrain from exercising a sovereign right to decide whether return of IDPs is voluntary and appropriate and hand over that right to an authoritative international body; to accept international human rights monitoring and establish national mechanisms to investigate abuses; to mobilize local and traditional leaders to address the conflict in Darfur and enact legislation to strengthen native administration; and, last but not least, to engage in negotiations with rebel movements without preconditions.

It is self-evident that, with regard to the practical implementation of those steps, there are always going to be some time lags and hiccups. But it has always been possible for the United Nations and partners to discuss and resolve the questions concerned with the Government. In my capacity as Special Representative of the Secretary-General, I have commended the Government for that progress in this short period of the initial 30 days.

I turn to the third point. In two key — and I underscore the word "key" — areas, however, the Government has not met its commitments. First, it has not been able to stop attacks by militias against civilians or to disarm those militias. Disarming part of the Popular Defence Forces is a laudable step, but it is not the same as disarming all militias, including the Janjaweed, which are under the influence of the Government. Secondly, no concrete steps have been taken to bring to justice or even identify any of the militia leaders or the perpetrators of these attacks, allowing violations of human rights to continue in a climate of impunity. Although some individual offenders have indeed been arrested, an active and systematic strategy to end impunity and to bring to justice Janjaweed leaders and their associates does not yet seem to be in place.

My fourth point relates to consequences. All of this means that, despite the progress that I have indicated, there is still much insecurity. The number of people fleeing their homes and villages is still increasing. Having said that, it is also important to note that, in the areas that have been chosen by the Government as areas to be made secure and safe within 30 days, the situation has improved. Security in those areas is better than it was one or two months ago. It is also better than the situation outside those areas. It goes without saying that the areas to be made safe and secure should be extended drastically and should ultimately cover the whole area of Darfur under the control of the Government. From the outset, that was the understanding shared by both the United Nations and partners and by the Government. It was also understood that any improvement in the initial areas should not be accompanied by a deterioration of conditions elsewhere. There can be no tradeoff in security conditions. On the contrary, the measures taken in the initial areas should serve as a model for Darfur as a whole.

Turning to my fifth point, a key concern is the critical breakdown of confidence among IDPs vis-à-vis the authorities. That distrust amongst the displaced rests upon their perception that the Government is behind the terror and the trauma they have experienced. Whether that is true or not, the breakdown of confidence is a fact. It is self-evident that rebuilding this shattered confidence cannot be done by the Government alone. More relief, refraining from direct and indirect pressure on IDPs to return, better management of the camps, conflict mediation, reconciliation and much wisdom are required in order to defuse potentially explosive situations.

The sixth point follows directly from that. It is the responsibility of the Government to protect its people against attacks and violations of human rights. This is the essential message of resolution 1556 (2004); this is the message that we have consistently emphasized in all discussions: any Government, including the Government of the Sudan, has the obligation to do its utmost to protect its citizens. It is incumbent upon the Government to ensure that no attacks on civilians occur, whether the perpetrators are under its influence or not. That message could be followed by another message: we urge the Government, if it is unable to fully protect its citizens by itself, to seek, request and accept assistance from the international community.

The seventh point is that such assistance can take various forms. A minimum package would be to drastically increase the capacity to monitor security and to maximize its effectiveness. That would mean, first, broadening the monitoring mandate in order to cover the implementation of all agreements, not only

those between the Government and the rebels — the Ceasefire — but also those between the Government and the United Nations and its partners. Secondly, after broadening the mandate, that would mean interpreting the concept of monitoring activity more broadly. Monitoring must be more than investigating incidents that have happened. Proactive monitoring will help to prevent such incidents from taking place by being on the spot 24 hours a day wherever such incidents might occur, including in the camps, and by acting as mediator in order to help prevent the escalation of conflict and insecurity. The third element of that minimum package would be many more monitors — eyes, hands, feet, wheels, planes and brains to monitor the situation on the ground.

As indicated in the report of the Secretary General, an expanded African Union mission in Darfur provides a path towards that end that is independent from the parties, widespread, neutral, efficient and reliably backed by logistics and resources supplied by the international community.

Point eight concerns the negotiations. There can be no end to the suffering in Darfur without a political settlement that leads towards sustainable peace. The search for a political solution is now under way in Abuja, Nigeria. The root causes of the conflict should be addressed. I welcome the fact that the parties have been able to agree on an agenda that includes both emergency and long-term concerns: humanitarian, security and political issues as well as social and economic questions such as equal access to land, water and natural resources and the eradication of poverty and the fostering of sustainable development in secure livelihoods.

I urge the parties to stay at the negotiating table, even when they feel frustrated or provoked. I also urge them to continue and redouble their efforts and to seek assistance from the African Union and United Nations facilitators and mediators. A political settlement should enable the refugees and displaced persons to return. It is also in their interest that security issues should have a prominent place on the agenda. While the talks are going on, both parties have to exercise maximum restraint on the ground and fully respect the Humanitarian Ceasefire Agreement. That applies equally to the Government of Sudan and to the rebel movements. International pressure should be applied across a level playing field.

Point nine also pertains to negotiations. The crisis in Darfur cannot be seen in isolation from the search for a comprehensive solution in Sudan. A comprehensive solution requires peace between the Government and the Sudan People's Liberation Movement. That means that the Intergovernmental Authority on Development (IGAD) peace talks in Naivasha should be resumed quickly and brought to a successful conclusion. A sustainable conclusion of the talks on Darfur requires a settlement between Khartoum and Rumbek, not the other way round. Those talks should at least take place concurrently.

Sudan has a history of talks forestalled and promises not kept. Completion of the Naivasha talks would prove that it makes sense to negotiate and that peace negotiations can indeed produce results. Moreover, the outcome of the talks in Naivasha could serve as a model for the talks on Darfur. By that I mean decentralization, a fair degree of autonomy for the regions, power sharing, equality and the co-existence of different tribes and populations within one nation. Constitutional changes resulting from Naivasha could instil confidence among the rebels in the process and provide a feasible political framework for the Government as well. Last but not least, peace between the North and the South would, according to the protocols so far agreed, result in a governmental system in Khartoum that would also be comprised of representatives from the South. That would also enhance mutual trust among the parties at the negotiating table for Darfur.

Any effort to make the conclusion of the IGAD process conditional on an end to the crisis in Darfur would therefore be counter-productive, with consequences that could further destabilize the country and the region and ultimately prolong the crisis in Darfur itself.

I now come to the final point. The humanitarian situation in Darfur is still bleak. There are major gaps in the provision of food, water and sanitation. Many displaced persons are still beyond reach. There are no outbreaks of epidemics, but malnutrition and mortality are still too high. Some improvement is discernible due to the tireless efforts of many people, most of them very young, coming from many different countries in order to provide relief to the victims of this man-made crisis. Humanitarian agencies and non-governmental organizations have done, and continue to do, a tremendous job.

However, we need much more assistance — more resources and people. The financial commitments made thus far do not meet the urgent needs for 2004. We need at least an additional $250 million through the end of this year. The original estimates of what was thought to be necessary have never been covered by an adequate amount of financial assistance. Moreover, those estimates have turned out to be too modest, as there are more refugees and displaced persons than expected. And that is in addition to the other financial resources required to build the more robust monitoring capacity I have referred to.

Since about two months ago, humanitarian agencies have had free access to Darfur. Apart from logistical bottlenecks, nothing stands in the way of an adequate relief operation. That opportunity should be grasped. Resources have to be at least redoubled. There is much talk about Darfur outside Sudan — and rightly so, because the misery is great. Many missions are visiting Sudan. Again rightly so, because pressure should be kept up. But, as a visiting minister has said, "put your money where your mouth is". We do indeed need a lot of attention, a lot of talking, a lot of pressure and a lot of resources.

The President (*spoke in Spanish*): I thank Mr. Pronk for the comprehensive briefing he has given us.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to proceed to informal consultations to continue our discussion of the subject.

The meeting rose at 11 a.m.